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December 17, 2009

**VIA OVERNIGHT DELIVERY**  
(Original letter filed via CM/ECF)

The Honorable Sandra J. Feuerstein  
United States District Judge  
United States District Court  
100 Federal Plaza  
Central Islip, NY 11722

*Re: Himer v. Automobile Club of New York, Inc.*  
(Case No. 09-cv-4143)

Dear Judge Feuerstein:

This firm represents the Plaintiff in the above-captioned case.

Pursuant to Your Honor's Individual Rules of Motion Practice, the following document is being served today upon counsel for Defendant Automobile Club of New York, Inc:

Plaintiff's Response in Opposition to Defendant's Motion to Dismiss, or, Alternatively, to Strike Plaintiff's Class Action Allegation.

Please do not hesitate to contact us should you have any questions or concerns.

Respectfully submitted,



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cc: Neil A. Capobianco (via U.S. Mail, w/ enclosure)  
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